

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

EX PARTE APPLICATION UNDER 28
U.S.C. § 1782 TO TAKE DISCOVERY
FROM CITIBANK, N.A., THE
CLEARING HOUSE PAYMENTS
COMPANY L.L.C. AND THE FEDERAL
RESERVE BANK OF NEW YORK

Case No. 1:23-mc-00133-LAK-OTW

ORDER

Upon consideration of the application for an order under 28 U.S.C. § 1782 (the “Application”) to take discovery from Citibank, N.A. (“Citibank”), The Clearing House Company L.L.C (“CHIPS”) and The Federal Reserve Bank of New York (“Fed-NY”) (together, the “Discovery Subjects”), submitted by Zhongshan Quimica do Brasil Ltda. (“Zhongshan” or the “Applicant”) for judicial assistance (“the Application”)—and all papers submitted in support thereof, including the Declaration of E. Martin De Luca, dated April 28, 2023 (the “De Luca Declaration”), this Court finds that (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied, and (2) the factors identified by the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), weigh in favor of granting the Application.

It is therefore **ORDERED** that

- (1) the Application is **GRANTED**;
- (2) Applicant is authorized to serve the subpoena annexed as Exhibit A to the De Luca Declaration upon CHIPS;
- (3) Applicant is authorized to serve the subpoena annexed as Exhibit B to the De Luca Declaration upon Fed-NY;

- (4) Application is authorized to serve the subpoena annexed as Exhibit C to the De Luca Declaration upon Citibank; and
- (5) The Discovery Subjects are directed to respond to the subpoenas pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, and to produce all responsive documents within thirty (30) days from the date of this Order.

SO ORDERED

New York, New York

Dated: May 16, 2023



United States Magistrate Judge